

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler
v. : Crim. No. 09-397
JUAN CARLOS CRUZ : ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Andrew Carey, Assistant U.S. Attorney, appearing), and defendant JUAN CARLOS CRUZ (John McGovern, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18, United States Code, Section 3161(c)(1), and the defendant having consented to such a continuance, and it appearing that the defendant waives such right, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Taking into account the exercise of diligence, the facts of this case require that defense counsel be permitted a

reasonable amount of additional time for effective preparation in this matter;

(2) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render trial of this matter unnecessary;


(3) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 30th day of January, 2012,

ORDERED that this action be, and hereby is, continued until March 30, 2012; and it is further

ORDERED that defense motions, if any, are to be filed by March 30, 2012, opposition to defense motions are to be filed by April 12, 2012, motions shall be heard on 4/16/2012 and (4/16/12) the trial shall be scheduled for 5/1/2012 @ 10:00 absent any other reason to continue the proceedings; and it is further

ORDERED that the period from the date of this order through March 30, 2012 shall be excludable in computing time under the Speedy Trial Act of 1974.



HON. STANLEY R. CHESLER
United States District Judge

I hereby consent to the form
and entry of this Order



JOHN MCGOVERN, ESQ.
ATTORNEY FOR DEFENDANT

ANDREW CAREY
ASSISTANT UNITED STATES ATTORNEY